



## **TOWN WARRANT**

Hampshire, ss.

To one of the Constables of the Town of Amherst, in said county, Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify the registered voters of the Town of Amherst of the **Special Town Meeting** to be held in the Auditorium of the Amherst Regional Middle School in said Amherst at seven-thirty o'clock p.m. on **Monday, the twenty seventh day of July, two thousand and nine**, when the following articles will be acted upon by town meeting members:

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### **ARTICLE 1. Local Option Meals Excise (Select Board)**

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To see if the Town will vote to accept M.G.L. c. 64L, s. 2 and impose a local sales tax upon the sale of restaurant meals originating within the Town by a vendor at a rate of .75% of the gross receipts of the vendor from the sale of restaurant meals, said excise to take effect on the first day of the calendar quarter commencing at least thirty days after such vote of Town Meeting.

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### **ARTICLE 2. Local Option Room Occupancy Excise (Select Board)**

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To see if the Town will vote, pursuant to M.G.L. c. 64G, §3A, to amend the vote taken under Article 14, 1988 Annual Town Meeting, and impose a local excise tax upon the transfer of occupancy of any room or rooms in a bed and breakfast establishment, hotel, lodging house or motel located within the Town at a rate of 6%, said excise to take effect on the first day of the calendar quarter commencing at least thirty days after such vote of Town Meeting.

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### **ARTICLE 3. Atkins Economic Opportunity Area – Amendment (Select Board)**

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To see if the Town will vote to amend the existing Atkins Economic Opportunity Area (EOA) the area known as Atkins Fruit Bowl, 1151 West Street, shown as Parcels 25B-51 and 25B-57 and described in the Atkins Economic Opportunity Area Application, dated June 9, 2009 as amended which is on file with the Town Clerk, the Assessors' Office, and the Select Board's Office; and that the Town authorizes the Select Board to offer, subject to Town Meeting approval, the granting of an amended Tax Increment Financing (TIF) agreement for qualified economic development projects undertaken within said Economic Opportunity Area.

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### **ARTICLE 4. Atkins Economic Opportunity Area – Project Certification Application (Select Board)**

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To see if the Town will vote to approve a new Project Certification Application dated June 9, 2009 as amended, submitted by Atkins Fruit Bowl, Inc. and Orchard Run Associates for construction of a new facility within the amended Atkins Economic Opportunity Area shown as 1151 West Street, Parcels 25B-51 and 25B-57 (Exhibit A of the EOA application) and the form of the amended Tax Increment Financing (TIF) agreement between Atkins Fruit Bowl, Inc. and Orchard Run Associates and the Town of Amherst. This approval is for the information contained in both the amended Economic Opportunity Area Application and the amended Project Certification Application that confirms:

- a) The Project as proposed is consistent with and can reasonably be expected to benefit significantly from the inclusion in the amended Economic Opportunity Area; and
- b) The Project contains an expansion of the existing project which was certified for the Economic Opportunity Area and together will not overburden the Town's infrastructure and utilities servicing the amended EOA; and
- c) The Project as described in the amended Project Certification Application will increase employment for residents of the Greater Franklin County Economic Target Area, thereby reducing economic depression; and
- d) The Town requests that the expanded project be designated a certified project for a term of twenty (20) years from the initial project certification date.

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**ARTICLE 5. Photovoltaic Solar Panel Systems Contract**  
**(Select Board)**

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To see if the Town will authorize the Town Manager to sign a five year contract with DCS Energy for a pilot program to install two photovoltaic solar panel systems for the Department of Public Works.

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**ARTICLE 6. FY2010 Library Services Operating Budget Amendment**  
**(Jones Library Trustees)**

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To see if the Town will amend the action taken under Article 22 of the 2009 Annual Town Meeting (FY 2010 Operating Budget) by increasing the amount approved for the Library Services Operating Budget by \$34,704 and the amount raised and appropriated for the Town's share of that budget by \$34,704.

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**ARTICLE 7. Petition – Library Services Operating Budget Amendment**  
**(Ms. Holland)**

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“To see if the Town will amend the action taken under Article 22 of the 2009 Annual Town Meeting (FY 2010 Operating Budget) by appropriating and transferring to the budget for Library Services the sum of \$34,704 from Free Cash in the Undesignated Fund Balance of the General Fund.”

You are hereby directed to serve this call by posting attested copies thereof at the usual places:

Prec. 1	North Amherst Post Office	Prec. 6	Fort River School
Prec. 2	North Fire Station	Prec. 7	Crocker Farm School
Prec. 3	Marks Meadow School	Prec. 8	Munson Memorial Library
Prec. 4	Amherst Post Office	Prec. 9	Wildwood School
Prec. 5	Town Hall	Prec. 10	Campus Center, UMass

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this eighth day of July, 2009.

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Select Board

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Date

Hampshire, ss.

In obedience to the within warrant, I have this day as directed posted true and attested copies thereof at the above designated places, to wit:

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Constable, Town of Amherst